

TEXAS DEPARTMENT OF WATER RESOURCES  
1700 N. Congress Avenue  
Austin, Texas



Charles E. Nemir  
Executive Director

December 17, 1992

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DOW CHEM - TEXAS DIV  
TXD 980875462

Ms. Karen Shewbart, Environmental Mgr.  
Dow Chemical Company USA  
P. O. Drawer K B-2616  
Freeport, TX 77541

Dear Ms. Shewbart:

Re: Dow Chemical Company, USA, Texas Division, ISM Registration No. 30106

During the inspection in September, 1982, by Gail Corrigan of this Department, the status of the closed landfills and surface impoundments at your facility were discussed. It was noted from this discussion that chlorinated hydrocarbon contaminants from some of the closed facilities have been detected in the uppermost aquifers. As defined by the Texas Water Code Section 26.001, "waters of the state" includes both surface waters and ground-water, percolating or otherwise, inside the territorial limits of the state. Therefore, the uppermost aquifers on your facility are considered to be "waters of the state", subject to jurisdiction of Texas Department of Water Resources as declared by the Water Code, Section 5.011.

The prohibitions set forth in Section 26.121 of the Water Code state that no person may discharge or allow seepage of industrial waste into any water in the state without authorization from this Department. Thus, any release of industrial waste from the closed landfills or surface impoundments on your facility into the waters of the State would be a violation of this statute.

Pursuant to Section 26.015 of the Water Code, the following information should be forwarded to our office:

1. The locations and dimensions of all closed landfills and surface impoundments.
2. Analytical data from all monitor wells adjacent to or those monitoring closed land disposal/storage areas since January, 1981.

SUPERFUND FILE

OCT 14 1992

REORGANIZED

REPLY TO: DISTRICT 7 / 4301 CENTER STREET / DEER PARK, TEXAS 77536 / AREA CODE 713/479-5981

P. O. Box 13087 Capitol Station • Austin, Texas 78711 • Area Code 512/475-3187

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3. Monitor well information, including locations, depths, diameters and completion data on each well.
4. Types and concentrations of contaminants in the aquifers.
5. The extent, both vertical and horizontal, of contamination in the aquifers.
6. Measures that have been taken to contain and/or remove contaminants from the groundwater.
7. Measures that are planned and/or are being evaluated in order to eliminate any threat to the environment.
8. In addition to the information noted in items 1-7, we also request similar data be provided this office concerning groundwater contamination of which you are aware that may be occurring from any other facilities at the Texas Division including but not limited to process and storage areas.

Please respond in writing to this office by January 29, 1983, with the above requested information. If you have any questions on this matter, please contact Ms. Gail Corrigan at (713) 479-5981.

Sincerely,

*Merton J. Coloton*

Merton J. Coloton  
Supervisor, District 7

MJC/GC/jea